



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DUTTONS & CO. REAL ESTATE LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, MNDC, OLC

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution file don August 16, 2017, wherein the Tenant sought return of double the security deposit paid pursuant to sections 38, 62 and 67 of the *Residential Tenancy Act*.

The hearing was scheduled for teleconference at 3:00 p.m. on this date. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time.

Analysis and Conclusion

Rule 7 of the *Residential Tenancy Branch Rules of Procedure* provides in part as follow:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

As neither party called into the hearing by 3:10, I dismiss the Tenant's claim with leave to reapply. I note this does not extend any applicable time limits under the Act.

This decision is final and binding on the parties, except as otherwise provided under the Act, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: February 27, 2018

Residential Tenancy Branch